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13 Attorneys for Defendant Target Corporation

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

17 OKECHUKWU MBAMA, individually  
and on behalf of all others similarly  
18 situated,

19 Plaintiff,

20 vs.

21 TARGET CORPORATION, a Minnesota  
Corporation, and Does 1-25, inclusive,

22 Defendants.

No. C-07-3014-SI

**JOINT STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE CASE MANAGEMENT  
CONFERENCE AND STAY**

Date: Friday, January 18, 2008  
Time: 2:00 p.m.  
Courtroom: 10, 19th Floor  
Judge: Hon. Susan Illston

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1 Additional Counsel for Plaintiff Okechukwu Mbama:

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## **STIPULATION**

Plaintiff Okechukwu Mbama and defendant Target Corporation (“Target”), appearing through their respective counsel of record, stipulate as follows:

1. On September 18, 2007, the parties' filed their first Joint Case Management Statement (Docket No. 24); informed the Court of the related litigation in *Mora v. Target Corp.*, U.S.D.C., S.D. Cal., No. 07-CV-0719-BEN-WMC ("*Mora*"), pending before United States District Judge Roger T. Benitez in the Southern District of California; and reported Target's motion to dismiss the complaint in *Mora* was still pending before Judge Benitez.

2. On September 28, 2007, following the initial case management conference in this action, the Court stayed proceedings and set a further case management conference for Friday, November 16, 2007, to allow Judge Benitez time to rule on Target's motion to dismiss in *Mora*.

3. On November 9, 2007, the parties reported in their Joint Case Management Statement (Docket No. 28) that Judge Benitez had denied Target's motion to dismiss the complaint in *Mora*, but had simultaneously issued an order to show cause why *Mora* should not be dismissed for lack of subject matter jurisdiction. Based on its confidence that Judge Benitez would find jurisdiction in *Mora* proper under the Class Action Fairness Act of 2005, 28 U.S.C. § 1332(d), Target asked that the Court continue the case management conference and stay until January 2008 in the hope that Judge Benitez would have discharged the order to show cause.

4. Following the case management conference on November 16, 2007, the Court continued the stay in this action and set a further case management conference for January 18, 2008.

5. Even though the parties in *Mora* filed briefs in support of the Court's jurisdiction, Judge Benitez has not yet discharged his order to show cause in *Mora*.

6. Accordingly, the parties request that the Court vacate the case management conference set for January 18, 2008; set a further case management conference for Friday, February 29, 2008, at 2:30 p.m.; and continue the stay in this action until February 29, 2008.

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1 Dated: January 15, 2008.

JOSE R. MATA  
SUSAN SEEMILLER  
BAILEY PINNEY, PC

2  
3 BONNIE MAC FARLANE  
4

5 By: /s/ Jose R. Mata

6 Jose R. Mata

7 Attorneys for Plaintiff Okechukwu Mbama  
8

9 Dated: January 15, 2008.

10 JEFFREY D. WOHL  
11 RISHI N. SHARMA  
12 GREGGORY W. DALTON  
13 PAUL, HASTINGS, JANOFSKY & WALKER LLP  
14

15 By: /s/ Rishi N. Sharma

16 Rishi N. Sharma

17 Attorneys for Defendant Target Corporation  
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1                   **CASE MANAGEMENT ORDER**

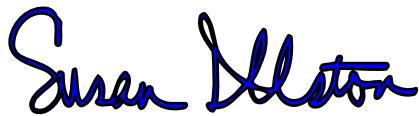
2                   On the stipulation of the parties, and good cause appearing therefore,

3                   IT IS HEREBY ORDERED that the further case management conference set for Friday,  
4 January 18, 2008, at 2:30 p.m. in this action is vacated.

5                   IT IS HEREBY ALSO ORDERED that the parties shall appear on Friday, February 29, 2008, at  
6 2:30 p.m. for a further case management conference in this action, with the parties' joint case  
7 management conference statement due five days prior.

8                   IT IS HEREBY ALSO ORDERED that the stay in this action is continued to February 29, 2008.

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10                  Dated: January \_\_\_, 2008.



11                  \_\_\_\_\_  
12                  Susan Illston  
13                  United States District Judge

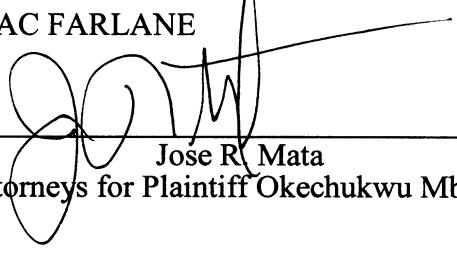
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1 Dated: January 15, 2008.

JOSE R. MATA  
SUSAN SEEMILLER  
BAILEY PINNEY, PC

2  
3 BONNIE MAC FARLANE  
4

5 By: \_\_\_\_\_  
6

  
Jose R. Mata  
Attorneys for Plaintiff Okechukwu Mbama

7 Dated: January 15, 2008.

JEFFREY D. WOHL  
RISHI N. SHARMA  
GREGGORY W. DALTON  
PAUL, HASTINGS, JANOFSKY & WALKER LLP

8 By: \_\_\_\_\_  
9

  
Rishi N. Sharma  
Attorneys for Defendant Target Corporation